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14 CV 8341
JUDGE BRODERICK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

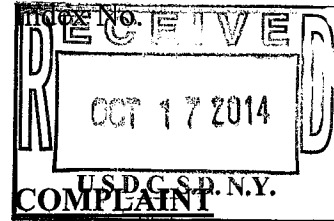
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SHISEIDO AMERICAS CORPORATION,

Plaintiff,

- against -

M.V. MSC NAVEGANTES, her engines, boilers,
etc., in rem, PUSAN SCHIFFFAHRTSGESELLSCHAFT,
M.V. MSC ELA, her engines, boilers, etc., in rem,
ELA NAVIERA CO. S.A., MEDITERRANEAN
SHIPPING COMPANY, S.A., of Geneva and
PELORUS OCEAN LINE LIMITED,

Defendants.
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The plaintiff herein, by its attorneys, Hill Rivkins LLP, complaining of the above named vessels and defendants, allege upon information and belief:

FIRST: This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure.

SECOND: At and during all times hereinafter mentioned, plaintiff had and now has the legal status and principal office and place of business stated in Schedule A hereto annexed and by this reference made a part hereof.

THIRD: At and during all the times hereinafter mentioned, defendants had and now have the legal status and office and place of business stated in Schedule A, and

were and now are engaged in business as a common carriers of merchandise by water for hire, and owned, operated, managed, chartered and controlled the above named vessels which now is or will be within the jurisdiction of this Court during the pendency of this action.

FOURTH: On or about the dates and at the ports of shipment stated in Schedule A, there were delivered to the vessels and defendants in good order and condition the shipments described in Schedule A, which the said vessels and defendants received, accepted and agreed to transport for certain consideration to the ports of destination stated in Schedule A.

FIFTH: Thereafter, the said vessels arrived at the ports of destination described in Schedule A and the cargoes not delivered in the same good order and condition in which they were received.

SIXTH: Defendants, by reason of the premises, breached its duties to the plaintiff as common carriers by water for hire and was otherwise at fault.

SEVENTH: Plaintiff was the shipper, consignee or owner or otherwise had a proprietary interest of and in the cargoes as described in Schedule A, and brings this action on its own behalf and, as agent and trustee, on behalf of and for the interest of all parties who may be or become interested in the said shipments, as their respective interests may ultimately appear, and plaintiff is entitled to maintain this action.

EIGHTH: Plaintiff has duly performed all duties and obligations on its part to be performed.

NINTH: By reason of the premises, plaintiff has sustained damages nearly as same can now be estimated, no part of which has been paid, although duly demanded, in the amount of \$483,996.00.

W H E R E F O R E, plaintiff prays:

1. That process in due form of law according to the practice of this Court may issue against defendants.
2. That if defendants cannot be found within this District, that all of its property within this District be attached in the sum set forth in this complaint, with interest and costs.
3. That a decree may be entered in favor of plaintiff against defendants for the amount of plaintiff's damages, together with interest and costs.
4. That process in due form of law according to the practice of this Court may issue against the aforesaid named vessels.
5. Plaintiff further prays for such other, further and different relief as to this Court may seem just and proper in the premises.

Dated: New York, New York
October 17, 2014

HILL RIVKINS LLP
Attorneys for Plaintiff

By: 

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SCHEDULE A

Plaintiff, Shiseido Americas Corporation, was and now is a corporation with an office and place of business at 100 Tokeneke Road, Darien, Connecticut 06820.

Defendant, Pusan Schiffahrtsgesellschaft, was and now is a foreign corporation with an office and place of business c/o Reederei F. Laeisz GmbH, Lange Strasse 1A, 18055 Rostock, Germany.

Defendant, Ela Naviera Co. S.A., was and now is a foreign corporation with an office and place of business c/o MSC Mediterranean Shipping Co. SA, Chemin Rieu, 12-14, 1208, Geneva, Switzerland.

Defendant, Mediterranean Shipping Company, S.A. of Geneva, c/o Mediterranean Shipping Co. (USA) Inc., 420 Fifth Avenue, New York, NY 10018.

Defendant, Pelorus Ocean Line Limited, was and now is a foreign corporation with an office and place of business at Room 905, Silvercord Tower II, 30 Canton Road, Tsimishatsui, Kowloon, Hong Kong.

Cause of action against the M.V. MSC ELA, in rem, Ela Naviera Co. S.A., Mediterranean Shipping Company, S.A. of Geneva c/o Mediterranean Shipping Co. (USA) Inc., and Pelorus Ocean Line Limited

Port of Loading:	Antwerp
Port of Discharge:	New York/Columbus
Cargo:	Perfumery Products Pelorus B/L CDGCLB40129 MSC B/L MSCUFH764853
Shipper:	Burberry Limited
Consignee:	Shiseido
Amount of Loss:	\$234,604.00

Causes of action against the M.V. MSC NAVEGANTES, in rem, Pusan Schiffahrtsgesellschaft, Mediterranean Shipping Company, S.A. of Geneva c/o Mediterranean Shipping Co. (USA) Inc., and Pelorus Ocean Line Limited

Port of Loading:	Antwerp
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Port of Discharge: New York/Columbus

Cargo: Perfumery Products
Pelorus B/L CDGCLB40032
MSC B/L MSCUFH726629

Shipper: Burberry Limited

Consignee: Shiseido

Amount of Loss: \$163,579.00

Second Cause of Action against the M.V. MSC NAVEGANTES, in rem, Pusan Schiffahrtsgesellschaft Mediterranean Shipping Company, S.A. of Geneva c/o Mediterranean Shipping Co. (USA) Inc., and Pelorus Ocean Line Limited

Port of Loading: Antwerp

Port of Discharge: New York/Columbus

Cargo: Perfumery Products
Pelorus B/L CDGCLB40157
MSC B/L MSCUFH767391

Shipper: Burberry Limited

Consignee: Shiseido

Amount of Loss: \$40,813.00

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